

## VILLAGE OF BENTLEYVILLE

**ORDINANCE NO. 2012-5 (3<sup>rd</sup> Reading)**

**INTRODUCED BY: JOSEPH MAURER**

### **AN ORDINANCE PROVIDING FOR THE EMPLOYMENT OF AN ASSISTANT LAW DIRECTOR/PROSECUTOR, FIXING COMPENSATION, AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED**, by the Council of the Village of Bentleyville, County of Cuyahoga, and State of Ohio:

- Section 1.** That ANN OAKAR be and is hereby appointed Assistant Law Director/Prosecutor for the Village of Bentleyville, Ohio for a period commencing January 1, 2012 and ending December 31, 2012.
- Section 2.** It shall be the primary duty of the Assistant Law Director/Prosecutor is to prosecute criminal matters originating within the Village, and to provide assistance and consultation to the police department, secondary duty is to assist the Law Director at the Law Director's direction.
- Section 3.**
1. Compensation for the services to be performed by the Assistant Law Director/Prosecutor shall be as follows:
    - A. The prosecution of criminal matters in the Bedford Municipal Court, consultation to the Police Department and assistance to the Law Director, the sum of Ten Thousand Six Hundred Nine Dollars (\$10,609.00) per annum, payable in twelve equal monthly payments. All of the compensation of the Assistant Law Director/prosecutor shall be subject to contribution by the Village Assistant Law Director/prosecutor, to PERS and is subject to payroll deductions.
  2. The Assistant Law Director/Prosecutor shall perform the following special services and shall be compensated therefore at an hourly rate.

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- A. For services in any Court other than as prescribed in Section 3(A) for attendance at criminal pre-trials and criminal trials and for conducting all litigation, including jury trials and appellate work where the Village is a party and the performance of other duties or extraordinary services not included in the regular and normal duties, the sum of Ninety-five Dollars (\$95.00) per hour.

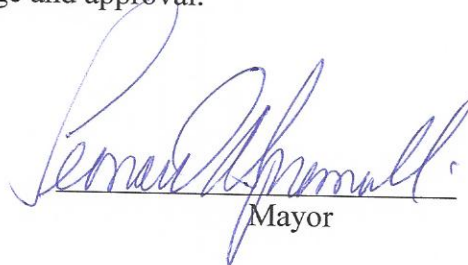
**Section 4:** If the Assistant Law Director/Prosecutor, because of her position, determines that there exists a conflict of interest with her in any matter in which the Village has an interest, she shall have authority to appoint special Prosecutor to represent the Village in such a matter. Such special counsel shall be paid on a quantum merit basis in the amount of One Hundred Dollars (\$100.00) per hour.

**Section 5:** Any Ordinance or Resolution in conflict herewith is hereby repealed.

**Section 6:** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including the applicable sections of the Ohio Revised Code.

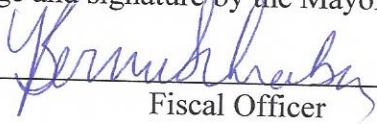
**Section 7:** This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, or safety of the inhabitants of the Village and for the further reason set forth in the preamble hereof, and this Ordinance shall, therefore, take effect and be in full force immediately from and after the date of its passage and approval.

Passed: March 21, \_\_\_\_\_, 2012

  
\_\_\_\_\_  
Mayor

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I, the undersigned, Fiscal Officer of the Village of Bentleyville, hereby certify that there is no newspaper published or having an office of publication in the same Village and that I published the foregoing Ordinance by posting the same in five (5) of the most public places of said Village, as defined by Ordinance of Council, for a period of fifteen (15) days, beginning the date following passage and signature by the Mayor.

  
Fiscal Officer

I, the undersigned, Fiscal Officer of the Village of Bentleyville, hereby certify that the foregoing is a true copy of Ordinance 2012-5 duly enacted by the Council of said Village on March 21, \_\_\_\_\_, 2012.

  
Fiscal Officer

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